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GOVERNMENT OF THE DISTRICT OF COLUMBIA

Language Access Training for Grantees

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July 2024

AGENDA

1. **DC Demographics** – Snapshot of the District's Limited English Proficient and Non-English Proficient (LEP/NEP) community demographics
2. **Laws & Requirements** – District of Columbia law and regulations governing Language Access
3. **Resources & Tools** –Language Access resources available to facilitate compliance.

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WHY IS LANGUAGE ACCESS IMPORTANT?

ACCESS TO SERVICES

- It allows LEP/NEP individuals to access essential services like healthcare, education, and legal assistance.

CIVIL RIGHTS

- It protects the civil rights of LEP people and ensures everyone has the right to respect, dignity, and equitable treatment.

FEDERAL LAW

- The Civil Rights Act and Executive Order 13166 guarantee language access. It aims to improve access to federally funded programs for LEP/NEP individual and reduce language barriers.

INCLUSIVITY

- It reduces barriers and promotes inclusivity AND equity.

LANGUAGE ACCESS LAWS

- Title VI of the Civil Rights Act of 1964
- Executive Order 13166 of 2000
- Section 1557 of the Patient Protection and Affordable Care Act
- Americans with Disabilities Act of 1990
- Section 504 of the Rehabilitation Act of 1973
- Local Language Access Mandates
  - DC Language Access Act of 2004, Equal Access to Public Services for Individuals with Limited English Proficiency (LEP) Act (MD), SB 270 and HB 1049 (VA)

DEMOGRAPHICS

Snapshot of the District's Limited English Proficient and Non-English Proficient (LEP/NEP) community demographics.

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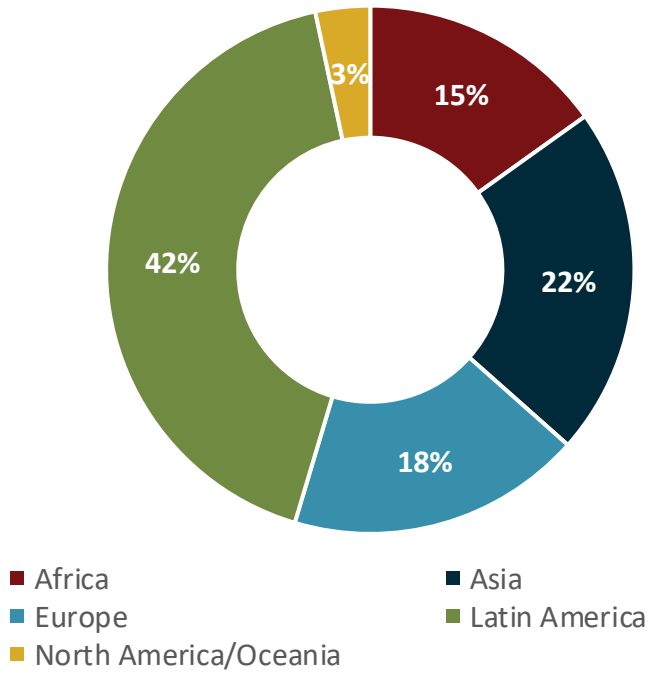
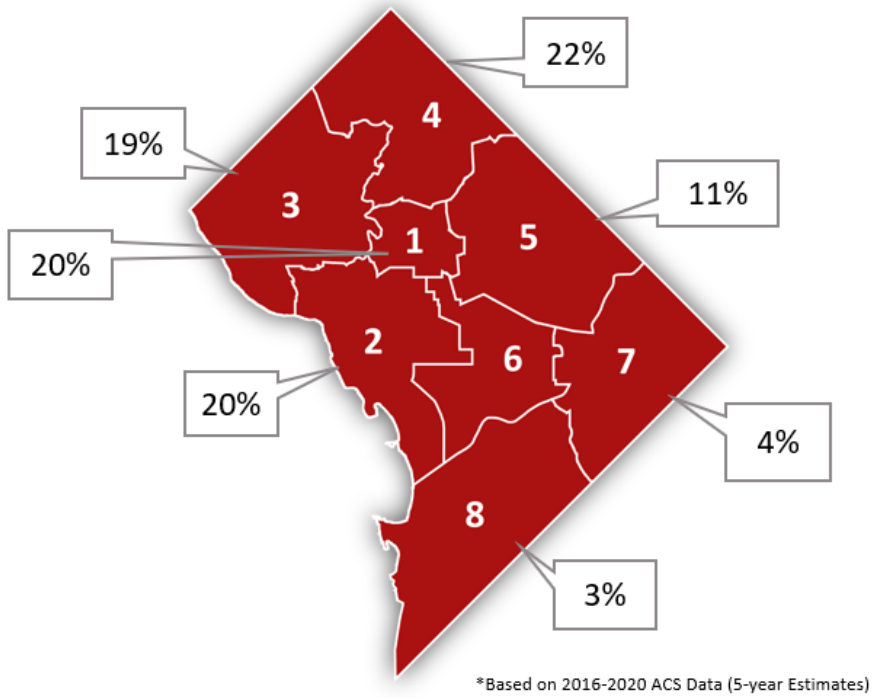
DC'S FOREIGN-BORN POPULATION DEMOGRAPHICS

Demographic Profile



Distribution by Ward



*Based on 2016-2020 ACS Data (5-year Estimates)

Note: Being foreign-born does not necessarily indicate an LEP/NEP status. In fact, some foreign-born residents are highly proficient in English. This Context simply helps illustrate DC's diversity.

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THE DISTRICT'S LEP/NEP POPULATION: LANGUAGE PROFICIENCY

Data from the 5-Year estimate (2016-2020) U.S. Census Bureau's American Community Survey (ACS)

Total number of DC residents: 701,974
Foreign-born population: 94,193 (13.4%)

Language Spoken at Home

- 17.2% (113,022) of the population 5 years+ speak a language other than English at home.
- 5.7 % (37, 257) of the population 5 years+ speak English less than "very well"

Language Ability	US Born	Foreign-Born
Population 5 years and older	**562,672**	**93,419**
Speak Only English	**91.7%** (517,109)	**28.8%** (26,930)
Speak English **"very well"**	**7.1%** (39,741)	**38.6%** (36,024)
Limited/Non- English Proficient **(LEP/NEP)**	**1.2%** (6,792)	**32.6%** (30,465)

Remember, being US-born does not guarantee English proficiency, just as being foreign born does not automatically indicate an LEP/NEP status.

WHY IS LANGUAGE ACCESS IMPORTANT IN PUBLIC HEALTH?

- Patients need to be able to communicate with their medical team in a language they understand to avoid confusion about their diagnosis, treatment, or prescription.
- When patients and providers can't communicate effectively, it can negatively impact patient safety, care quality, and overall health outcomes.
- Language Access can help increase health literacy and empower individuals to make informed decisions about their health.

DC LANGUAGE ACCESS ACT OF 2004

Provide an overview of the District of Columbia laws and regulations governing Language Access Compliance.

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LANGUAGE ACCESS TERMINOLOGY

- **Limited or Non-English Proficient (LEP/NEP) Individual:** a person who's first language is not English, and they do not have the ability or are limited in their ability to read, write, speak or understand English.
- **Interpretation:** Oral (spoken) language assistance provided by an interpreter either in-person, virtual or via a telephone interpretation service.
- **Translation:** Written language assistance provided by a translator usually involving the translation of vital documents.
- **Vital document:** Any document that is critical for ensuring meaningful access to the recipients' major activities and programs by beneficiaries generally and LEP persons specifically.
- **Meaningful access:** Language assistance that results in accurate, timely, and effective communication at no cost to the individual with LEP; access that is not significantly restricted, delayed or inferior as compared to programs or activities provided to English proficient individuals.

DC LANGUAGE ACCESS ACT OF 2004

Mandates covered entities to provide **equal access** and participation in public services, programs, and activities for constituents of the District of Columbia **who cannot (or have limited capacity to) speak, read, or write English.**

http://ohr.dc.gov/publication/dc-language-access-act-2004-english

THE LAW

Who is covered under the Law and what is a “covered entity”?

- **Covered Entities (§ 2-1931 (2))**

  Any District government agency, department, or program that furnishes information or renders services, programs, or activities directly to the public or contracts with other entities, either directly or indirectly, to conduct programs, services, or activities.

  Includes **39 District Government Agencies**: ABRA, CFSA, CSSD, DBH, DCRA, DCLB, DGS, DOC, DOES, DOEE, DOH, DHCD, DCHR, DHCF, DHS, DMV, DPR, DPW, DSLBD, DDS, DDOT, DCHA, DCOZ, DCOA, DCPL, DCPS, DYRS, FEMS, HSEMA, MPD, OAH, OCP, OHR, OP, OPC, OTA, OTR, OSSE, OUC, **and their grantees**.

Note: This includes All DC Health contractors, providers and grantees that receive district funding and provide public services on behalf of the agency.

The regulations provide interpretational guidelines for the law (Chapter 12).

LANGUAGE ACCESS ACT OF 2004 REQUIREMENTS

All Covered Entities (including funded entities) are required to:

1. Provide Interpretation Services

Provide oral interpretation services through qualified telephonic, virtual or in-person interpretation or bilingual staff to ALL LEP/NEP customers who seek to access or participate in the services, programs, or activities offered by the covered entity.

2. Translate Vital Documents

Translate vital documents once language encounters reach 3% or 500 individuals of the total population served or encountered.

3. Training

All DC Health team members and grantees/contractors should be trained once at on-boarding/awarded, receive refresher trainers as needed or required.

4. Outreach

Conduct outreach to LEP/NEP populations about their rights and services including bilingual outreach materials and advertise the availability of LA services and events through targeted media outlets and community-based partners, among others.

5. Data Collection

Collect, report, and analyze data on the demand for services in languages other than English. Update existing databases, applications, and tracking systems so that these tools capture both public demand and language needs.

TRANSLATIONS

Vital documents include:

- Documents which **inform individuals about their rights and responsibilities or eligibility requirements** for benefits, programs, or services.
- **Notices, letters, or forms rendering a decision or requesting additional information**
- Documents that pertain to **the health and safety of the public**; and
- **Educational and outreach materials** produced by the covered entity.

To request translated documents from DC Health e-mail melinda.salinas@dc.gov.

SIGNAGE

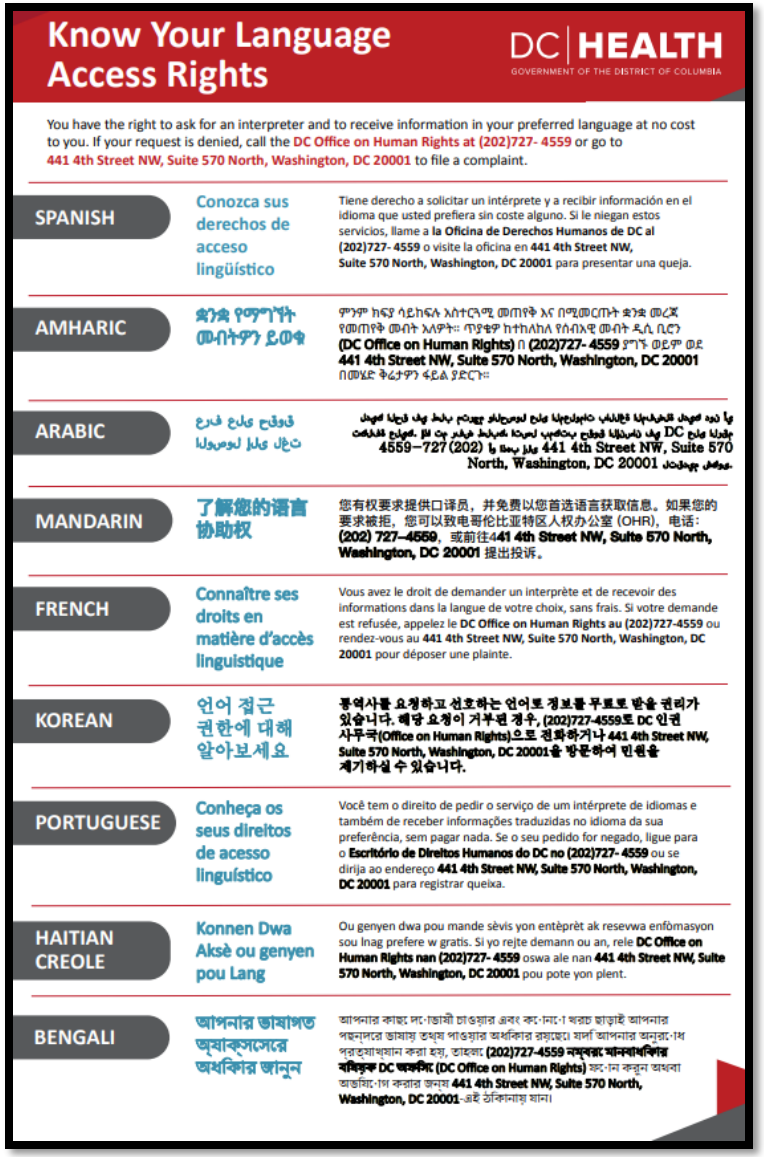
Language Identification Poster

- Tailored for DC's most common languages, it is available on the OHR website for easy download.
- Should be present at all public facing locations and must be always placed in a visible location.
- Excellent tool to identify a speaker's language. Language Line can also assist if you are unsure.

SIGNAGE

Language Access Rights

- Should be present at all public facing locations and must be always placed in a visible location.
- Provides notification of individual's right to obtain free translation and interpretation services in their preferred language.
- Provides information on how and where individuals can file a complaint if services are denied to them.



Know Your Language Access Rights

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You have the right to ask for an interpreter and to receive information in your preferred language at no cost to you. If your request is denied, call the DC Office on Human Rights at (202)727- 4559 or go to 441 4th Street NW, Suite 570 North, Washington, DC 20001 to file a complaint.

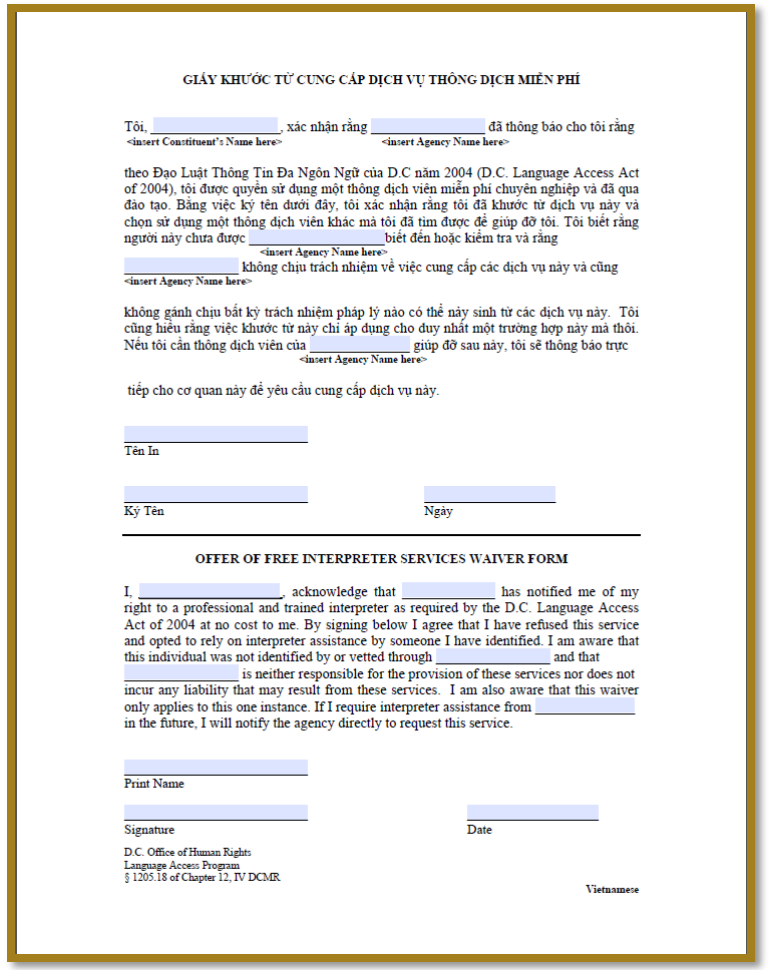
SPANISH	Conozca sus derechos de acceso lingüístico	Tiene derecho a solicitar un intérprete y a recibir información en el idioma que usted prefiera sin coste alguno. Si le niegan estos servicios, llame a **la Oficina de Derechos Humanos de DC al (202)727- 4559** o visite la oficina en **441 4th Street NW, Suite 570 North, Washington, DC 20001** para presentar una queja.
AMHARIC	ቋንቋ የማግኘት መብትዎን ይወቁ	ምንም ክፍያ ሳይከፍሉ እስተርጓሚ መጠየቅ እና በሚመርጡት ቋንቋ መረጃ የመጠየቅ መብት አለዎት። ጥያቄዎ ከተከለከለ የሰብአዊ መብት ዲሲ ቢሮን **(DC Office on Human Rights)** በ **(202)727- 4559** ያግኙ ወይም ወደ **441 4th Street NW, Suite 570 North, Washington, DC 20001** በመሄድ ቅሬታዎን ፋይል ያድርጉ።
ARABIC	عرف على حقوق الوصول إلى لغت	[illegible] DC [illegible] 4559–727 (202) [illegible] 441 4th Street NW, Suite 570 North, Washington, DC 20001 [illegible]
MANDARIN	了解您的语言协助权	您有权要求提供口译员，并免费以您首选语言获取信息。如果您的要求被拒，您可以致电哥伦比亚特区人权办公室 (OHR)，电话：**(202) 727–4559**，或前往**441 4th Street NW, Suite 570 North, Washington, DC 20001** 提出投诉。
FRENCH	Connaître ses droits en matière d'accès linguistique	Vous avez le droit de demander un interprète et de recevoir des informations dans la langue de votre choix, sans frais. Si votre demande est refusée, appelez le **DC Office on Human Rights au (202)727-4559** ou rendez-vous au **441 4th Street NW, Suite 570 North, Washington, DC 20001** pour déposer une plainte.
KOREAN	언어 접근 권한에 대해 알아보세요	통역사를 요청하고 선호하는 언어로 정보를 무료로 받을 권리가 있습니다. 해당 요청이 거부된 경우, (202)727-4559로 DC 인권 사무국(Office on Human Rights)으로 전화하거나 441 4th Street NW, Suite 570 North, Washington, DC 20001을 방문하여 민원을 제기하실 수 있습니다.
PORTUGUESE	Conheça os seus direitos de acesso linguístico	Você tem o direito de pedir o serviço de um intérprete de idiomas e também de receber informações traduzidas no idioma da sua preferência, sem pagar nada. Se o seu pedido for negado, ligue para o **Escritório de Direitos Humanos do DC no (202)727- 4559** ou se dirija ao endereço **441 4th Street NW, Suite 570 North, Washington, DC 20001** para registrar queixa.
HAITIAN CREOLE	Konnen Dwa Aksè ou genyen pou Lang	Ou genyen dwa pou mande sèvis yon entèprèt ak resevwa enfòmasyon sou lnag prefere w gratis. Si yo rejte demann ou an, rele **DC Office on Human Rights nan (202)727- 4559** oswa ale nan **441 4th Street NW, Suite 570 North, Washington, DC 20001** pou pote yon plent.
BENGALI	আপনার ভাষাগত অ্যাক্সেসের অধিকার জানুন	আপনার কাছে দোভাষী চাওয়ার এবং কোনো খরচ ছাড়াই আপনার পছন্দের ভাষায় তথ্য পাওয়ার অধিকার রয়েছে। যদি আপনার অনুরোধ প্রত্যাখ্যান করা হয়, তাহলে **(202)727-4559 নম্বরে মানবাধিকার বিষয়ক DC অফিসে (DC Office on Human Rights)** ফোন করুন অথবা অভিযোগ করার জন্য **441 4th Street NW, Suite 570 North, Washington, DC 20001**-এই ঠিকানায় যান।

INTERPRETER WAIVER FORM

If a LEP/NEP customer refuses the interpretation or translation services you offer, the customer must sign this form to waive his/her rights to language assistance.

The form **should be made available in the language of the customer** and confirm that the LEP/NEP customer is voluntarily waiving his or her right to free interpretation and/or translation services.

You can read the form over Language Line if the language you need is not available.



GIẤY KHƯỚC TỪ CUNG CẤP DỊCH VỤ THÔNG DỊCH MIỄN PHÍ

Tôi, _____, xác nhận rằng _____ đã thông báo cho tôi rằng
<insert Constituent's Name here> <insert Agency Name here>

theo Đạo Luật Thông Tin Đa Ngôn Ngữ của D.C năm 2004 (D.C. Language Access Act of 2004), tôi được quyền sử dụng một thông dịch viên miễn phí chuyên nghiệp và đã qua đào tạo. Bằng việc ký tên dưới đây, tôi xác nhận rằng tôi đã khước từ dịch vụ này và chọn sử dụng một thông dịch viên khác mà tôi đã tìm được để giúp đỡ tôi. Tôi biết rằng người này chưa được _____ biết đến hoặc kiểm tra và rằng
<insert Agency Name here>

_____ không chịu trách nhiệm về việc cung cấp các dịch vụ này và cũng
<insert Agency Name here>

không gánh chịu bất kỳ trách nhiệm pháp lý nào có thể nảy sinh từ các dịch vụ này. Tôi cũng hiểu rằng việc khước từ này chỉ áp dụng cho duy nhất một trường hợp này mà thôi. Nếu tôi cần thông dịch viên của _____ giúp đỡ sau này, tôi sẽ thông báo trực
<insert Agency Name here>

tiếp cho cơ quan này để yêu cầu cung cấp dịch vụ này.

_____
Tên In

_____ _____
Ký Tên Ngày

OFFER OF FREE INTERPRETER SERVICES WAIVER FORM

I, _____, acknowledge that _____ has notified me of my right to a professional and trained interpreter as required by the D.C. Language Access Act of 2004 at no cost to me. By signing below I agree that I have refused this service and opted to rely on interpreter assistance by someone I have identified. I am aware that this individual was not identified by or vetted through _____ and that _____ is neither responsible for the provision of these services nor does not incur any liability that may result from these services. I am also aware that this waiver only applies to this one instance. If I require interpreter assistance from _____ in the future, I will notify the agency directly to request this service.

_____
Print Name

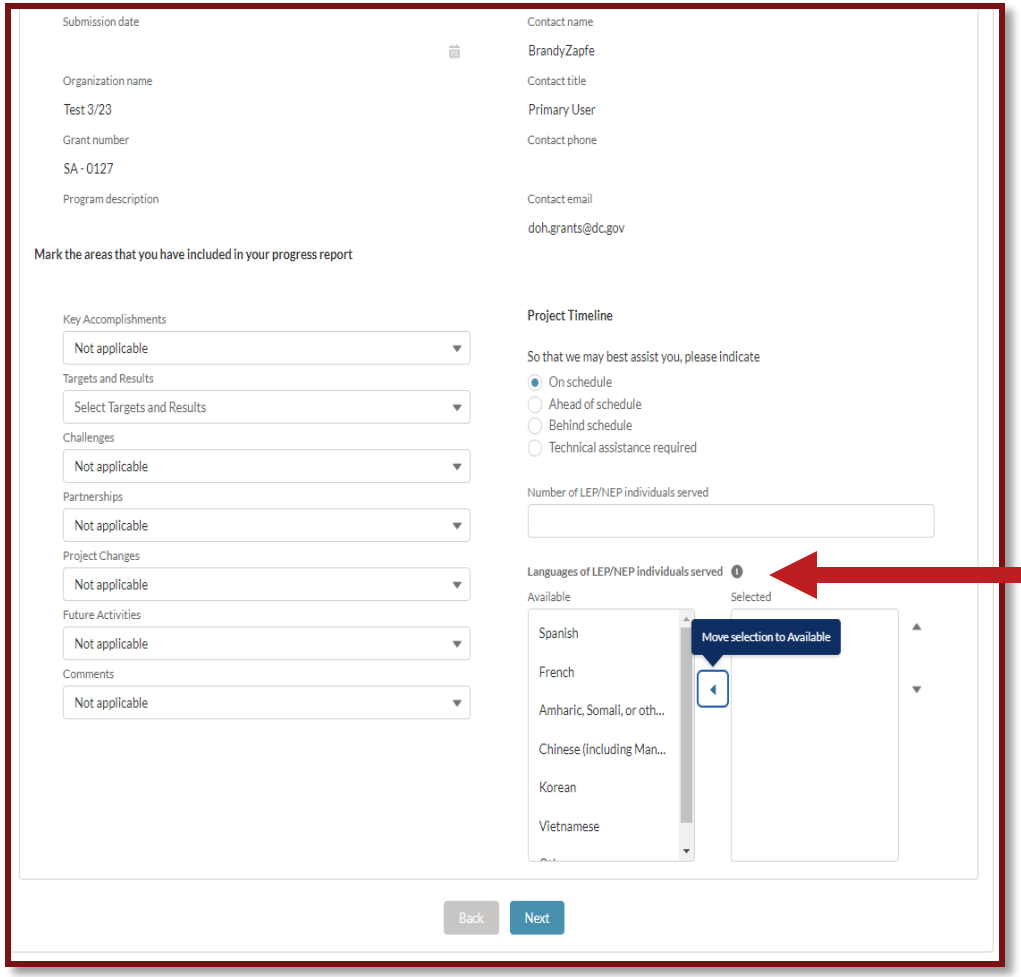
_____ _____
Signature Date

D.C. Office of Human Rights
Language Access Program
§ 1205.18 of Chapter 12, IV DCMR

Vietnamese

REPORTING

- Number of LEP/NEP individuals served or encountered.
  - Via telephone or in person encounters
  - Through bilingual employees
- Number of translated vital documents
- Number of events or activities aimed at reaching LEP/NEP individuals/communities.
- Number of training and individuals trained on Language Access.



RESOURCES

Language Access resources available to all DC Health team members, contractors, and grantees.

DC HEALTH LANGUAGE ACCESS TEAM

Your primary resource for Language Access issues is your DC Health Language Access Coordinator, and/or designated Point of Contact.

Your Language Access Team:

Melinda Salinas
Community Relations Specialist and Language Access Coordinator
melinda.salinas@dc.gov
(202) 934-0572

RESOURCES

OHR Language Access Portal:

OHR has produced a series of tools at ohr.dc.gov. Resources include:

- Vendor details & contact information
- Downloadable signage & forms
- Helpful guides for Language Line
- Best-practice for data collection & reporting
- Policy templates
- Regulation text

If you need to access a resource or translated document, contact the DC Health Language Access Team first.

RESOURCES

DC Certified Translation and Interpretation Vendors:

- ACSI Translations
- Language Line Solutions (LLS)
- TransPerfect
- Multicultural Community Service (MCS)

LANGUAGE LINE SOLUTIONS

- Language Line Solutions (LLS) is the vendor currently contracted to provide telephonic interpretation services to D.C. government.
- To use these services, callers must provide the operator with a ClientID, which links to an account, and an access number under which a fee is charged for each call.
- To set up a new account funded entities should contact LLS directly.
  - **Visit www.languageline.com or**
  - **call 1-800-752-6096 and press 4.**

“I SPEAK” CARDS

- **Provided by OHR and other DC Government Agencies**
- **Available in 10 languages:** Amharic, Chinese, French, Korean, Spanish, Vietnamese, Arabic, Portuguese, Tagalog, Russian
- LEP/NEP individuals can utilize them to notify government employees of their language preference and obtain adequate service.

LANGUAGE ACCESS RESOURCES

DC Resources

Office of Human Rights

- ohr.dc.gov/node/1145552##laws

DC Language Access Coalition

- (202) 470-6835 | dclaccoordinator@gmail.com

Mayor's Office Consultative Affairs Agencies

Mayor's Office on Latino Affairs
(202) 671-2825 | ola.dc.gov

Mayor's Office on Asian And Pacific Islander Affairs
(202) 727-3120 | apia.dc.gov

Mayor's Office on African Affairs
(202) 727-5634 | oaa.dc.gov

Organizational language access self-assessment tools:

- DOJ template from LEP.gov (p. 9-15)
- Centers for Medicare & Medicaid Services
  - www.cms.gov/About-CMS/Agency-Information/OMH/Downloads/Language-Access-Plan.pdf

Other Tools:

LEP.gov (A Dept. of Justice resource)

- www.lep.gov

Fact Sheet on Section 1557 from the American Medical Association

- www.ama-assn.org/media/ 14241/download

HHS CLAS Standards

- thinkculturalhealth.hhs.gov/clas

Plain Language.gov

- www.plainlanguage.gov

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